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**Myiarchus m. magister.** Arizona Crested Flycatcher. On the cactus covered hill north of our camp we found this species breeding quite abundantly, though none were seen out on the flat mesa; and had we remained in our camp in the mesquites, scarcely five hundred yards distant from the hill, I doubt if we would have known there were any of the birds around, so closely did they stick to their barren hillside. The birds were exceedingly noisy and quarrelsome, but very wary and hard to get a shot at, sitting at a safe distance when their nest was robbed, and uttering continually their loud, harsh call. Some eight or ten nests were examined, all very much alike. The cavities were all from fifteen to twenty-five feet from the ground, and I doubt that we found any nests more than half way up the hill. Most of the species occupying the cactuses were found nearer the base than the summit of the hill. The nests were all very much alike, being composed mainly of hair taken from dead horses and cattle, and smelling vilely. Usually there were pieces of snake skin in the nests, and occasionally a mummified owl or woodpecker underneath. The number of eggs in a set ranged from three to five.

**Myiarchus cinerascens.** Ash-throated Flycatcher. Breeds fairly abundantly in the mesquites. I have also found it nesting in the giant cactus, but not in any numbers.

**Empidonax trailli.** Traill Flycatcher. Seen and heard in the mesquites along the river.

**Pyrocephalus r. mexicanus.** Vermilion Flycatcher. A common and conspicuous species, breeding everywhere in the mesquites.

(To be concluded.)

#### A New Code of Nomenclature

DURING the latter part of the fall semester of 1904, President Jordan of Stanford University delivered a series of lectures on nomenclature before the faculty and graduate students of the biological departments. After an introductory talk on the history of nomenclature, he devoted the remaining lectures to a discussion of the principles and canons of the A. O. U. Code. On several important points Dr. Jordan took issue with these. It is fortunate for students in general that Dr. Jordan's wide practical experience with knotty problems in nomenclature is to be embodied in a new code, which will shortly appear under the joint authorship of Doctors Jordan, Evermann, and Gilbert. Dr. Jordan has kindly allowed me to make extracts from the manuscript, in advance of the regular publication.

There are thirty canons in the new code, several of the A. O. U. canons having in many cases been condensed into one. These are followed at the end by short notes. Most of the canons of the A. O. U. code are now very generally accepted and need no explanation. I have made extracts only where the new code differs materially from that of the A. O. U. The paper is entitled "NOMENCLATURE IN ICHTHYOLOGY. A PROVISIONAL CODE BASED ON THE CODE OF THE AMERICAN ORNITHOLOGISTS' UNION."

"The recent preparation of numerous papers in systematic ichthyology has necessitated the reconsideration of many problems of zoological nomenclature, and as some of these are not covered by any canon in any recognized code, and again, as certain canons in the best considered of the various codes of nomenclature, that of the American Ornithologists' Union, are not available in the study of fishes, we have ventured to draw up a code for our own use in ichthyology.

"The value of a code depends not on the authority behind it, but solely on its simplicity, usefulness, and naturalness. Formal agreements among groups of authors are always marked by compromises in which fitness and exactness are more or less sacrificed in the interest of unanimity of action. These compromises one and all are discarded in the progress of science.

"The present statement represents therefore solely the present practice of the present authors. No one else is bound by it, and they will not be bound in the future in any case in which they find reason to believe that their present views are faulty.

"The different canons in this code are based on those composing the code of the American

Ornithologists' Union, and so far as possible the language of that admirable document has been followed.

"We have, however, omitted certain matters which may be considered as self evident, and we have omitted all references to groups of higher than family rank. This has necessitated a change in the numbering of the different canons."

Canon VI of the new code differs from XVII of the A. O. U. chiefly in being simpler. "Preference between competitive specific names published simultaneously in the same work, or in two works of the same actual or ostensible date (no exact date ascertainable), is to be decided as follows:

"Of competitive names otherwise tenable, given by the same author, that one is to be preferred which stands first in the text. In case of competitive names otherwise tenable, given by different authors of the same actual date so far as ascertainable, the one standing on the earlier page in its publication must be chosen. [NOTE.] The sole end of laws of nomenclature is that of fixity, and this is to be ensured only by the elimination among names once printed, of all element of choice by later authors. Even among twins, the laws of primogeniture recognizes one as first born. So with names on the same page.

"Canon VII. [Compare A. O. U. XVIII] In case of competitive generic names otherwise tenable, published simultaneously in the same work, preference shall be given to the one standing first in the work. Of competitive generic names of the same actual or ostensible date (no exact date being ascertainable) given by different authors, that one is to be taken which is proposed on the earlier page of the volume in which it appears. When the same generic name is given to two distinct genera of animals at the same date (as far as ascertainable), the name appearing on the earlier page shall be deemed to have precedence."

Canon X differs widely from the A. O. U. rulings. Compare with XXI, XXIII. "The type of a genus can be indicated by the original author only. This may be done by direct statement that a certain species is a type species, the leading species, the "chef de file," or by other phraseology conveying the same idea; it may be indicated by the choice of a Linnæan or other specific name as the name of a genus, or by some statement which shall clearly indicate an idea in the author's mind corresponding in fact, if not in name to the modern conception of the type of a genus. The type of a Linnæan genus must be, in the phraseology attributed to Linnæus, 'the best known European or officinal species,' included by that author within that genus.

"In every case, the determination of the type of a genus shall rest on evidence offered by the original author, and shall be in no wise affected by restrictions or modifications of the genus in question introduced by subsequent authors, nor shall the views or the dates of subsequent authors be considered as affecting the assignment of the type of a genus. [NOTE.] It is believed that the principle that a generic name must be fixed by its original author is one of vital importance in nomenclature. All processes of fixing types by elimination or by any other means resting on subsequent literature, lead only to confusion and to the frittering of time on irrelevant questions. The method of elimination cannot be so defined as to lead to constant results in different hands. In general it is much more difficult to know to what types subsequent authors have restricted any name than to know what the original author would have chosen as his type. Most early writers who have dealt with Linnæan species have consciously or unconsciously encroached on the Linnæan groups rather than made definite restrictions in the meaning of the generic names.

"Canon XI. [Compare with A. O. U. XXIV] In case a genus requiring subdivision or modification contains as originally formed more than one species, and the author of the genus does not in any way clearly indicate its type, the first species named in the text by the author as certainly belonging to this genus shall be considered as its type. [NOTE.] It can never be unjust to an author to regard his first named species as his type, and it can never lead to confusion to let the genus stand or fall with this first species. The same remark applies to composite species.

"Canon XVII. [Second paragraph] As a name is a word without necessary meaning, and as names are identified by their orthography, a generic name (typographical errors corrected) is distinct from all others not spelled in exactly the same way. Questions of etymology are not pertinent in case of adoption or rejection of names deemed preoccupied. [NOTE.] This canon prohibits change of names because prior names of similar sound or etymology exist. It permits the use of generic names of like origin but of different genders or termination to remain tenable. All manner of confusion has been brought into nomenclature by the change of names because others nearly the same are in use. Thus the Ornithologists' Union sanction the cancellation of *Eremophila* because of the earlier genus *Eremophilus*, of *Parula* because of the earlier *Parulus*, and of *Helminthophaga* on account of *Hemiminthophagus*. On the other hand, *Pica* and *Picus* are allowed. In ornithology this matter has been handled by a general agreement on the relatively

few cases concerned. But in other groups, the matter is by no means simple, and every degree of similarity can be found. Thus the genus *Cantherines* is preceded by *Acanthorhinus*, a correct rendering of the same etymology; *Canthidermis* by *Acanthoderma*, also a correct form of the same word; *Thymallus* is preceded by *Thymalus*, *Lyopsetta* by *Liopsetta*. Rafinesque changes *Hiodon* because it sounds too much like *Diodon*; *Trachidermis* has been altered on account of its resemblance to *Trachyderma*, *Atelopus* on account of its resemblance to *Atelopus*.

"Between forms like *Pachynathus*, antedated by the correctly spelled *Pachygnathus*, and *Aplodontia*, antedated by the more correct *Haplodon*, and *Aplodon*, every sort of case may be found. If all names are regarded as different unless spelled alike, these matters offer no difficulty. Any other view gives no assurance of stability."

Although there are several other points of difference of a very minor nature, I shall close this short abstract with the following well-considered canon, a portion of which, as will be seen, departs considerably from present usage in ornithology and mammalogy.

"Canon XXIX. The authority for a specific or subspecific name is the first describer of the species or subspecies. A name adopted from manuscripts should be ascribed to the person indicated as author in the original publication, whether this person be the author of the memoir in which the name occurs or not. \* \* \* [NOTE] This canon deprecates the practice of ascribing to the author of a paper descriptions and names furnished him in courtesy or otherwise by some other author. If a writer ascribes one of his species to some one else, we must take his word for it. Thus the manuscript species of Kuhl and Van Hasselt in the Museum of Leyden, although printed by Cuvier and Valenciennes, should be ascribed to Kuhl and Van Hasselt."

W. K. FISHER.

## EDITORIAL NOTES

ALTHOUGH THE CONDOR can hardly be classed among "popular" journals (at least the business manager does not believe his accounts will justify such a view), nevertheless a word or two concerning the coming year may be of interest to club members. Our magazine corresponds to the "proceedings" of some scientific societies and consequently depends almost wholly upon the efforts of the club members. It is manifestly impossible, therefore, to provide an array of special features in advance, nor is it at all desirable to do so. The special features always depend upon the efforts of the editor and in so far as they occupy the body of the magazine they crowd out contributed material. There is an element of danger also, that if too much is provided in advance the members may tend to lose their sense of responsibility.

During the past two years we have published a number of portraits of American ornithologists. The series has been very incomplete, in some cases because we could not secure the necessary photographs and consent, but mostly on account of scarcity of room and funds. As noted on another page this series will be discontinued for the present. Beginning with the March-April issue we will commence a similar series of portraits of eminent European ornithologists, publishing from two to four photographs in each number. So far as we are aware this has never been attempted before. It should prove a feature of exceptional value to everyone interested in the personal and historical sides of ornithology. In an early issue, also, will appear a facsimile page of manuscript from the pen of Prince Charles Lucian Bonaparte. Mr. Emerson will relate something concerning its history and the rather dramatic manner in which it came to light.

Inasmuch as it is well-nigh impossible to prognosticate just what the coming year has in store for the readers of THE CONDOR, the contents of this volume upon which we are now entering must be gauged largely by the standard of that just completed. So far as the name of an author is an index to the standard—and it is a good index we believe—we take pleasure in announcing in advance the following contributors to volume seven: Florence Merriam Bailey, Vernon Bailey, Lyman Belding, Herman T. Bohlman, Herbert Brown, William Lovell Finley, A. K. Fisher, Louis Agassiz Fuertes, Joseph Grinnell, Rev. S. H. Goodwin, Henry B. Kaeding, Leverett Mills Loomis, Joseph Mailliard, Edgar A. Mearns, E. W. Nelson, Harry C. Oberholser, Wilfred H. Osgood, William W. Price, P. M. Sillaway.

As a special message to members of the club let us again remind them that the interest and value of a publication such as THE CONDOR must always depend upon the representative charac-